

## REMARKS

After entry of the above amendments, the claims pending in the subject application are 30 and 31. Reconsideration of this application based on the Amendments and Remarks presented herein is respectfully requested.

Concurrently with this response, a response is being filed in copending Serial No. 10/406,123. Previously, the file history for this copending application was cited in an Information Disclosure Statement filed on September 27, 2006. A copy of the response for Serial No. 10/406,123 is also being submitted to supplement the prior filing.

### 35 U.S.C. §103 REJECTIONS

Claims 6-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over WO 01/85103 to Laden et al. in view of Flick (Cosmetic Additives: An Industrial Guide), and United States Patent No. 4,673,526 to Zabotto et al.

This rejection is moot with the cancellation of claims 6-29.

### OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTIONS

Claims 6-31 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-18 of copending Application No. 10/406,123.

Enclosed is a terminal disclaimer to moot this rejection.

In view of the amendments and remarks contained above, Applicants respectfully request reconsideration of the application, withdrawal of the 35 U.S.C. §103 and obviousness-type double patenting rejections, and request that a Formal Notice of Allowance be issued for claims 30 and 31. Should the Examiner have any questions about the above remarks, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

Johansson *et al.*

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